



Water Supply District of Acton

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March 22, 2011

Mr. Douglas Maccone, Manager
Assabet Sand, LLC
16 Knox Trail
Acton, MA 01720

Dear Mr. Maccone:

Since your receipt of the letter dated July 22, 2010 from District Counsel, we have met several times to identify and quantify the areas of encroachment of the Assabet Sand and Gravel Company's operation on the District's abutting property. Having done so, and in an effort to continue this process moving along, I am proposing the following timeline for removal of the existing encroachment of Assabet Sand and Gravel on Water District land off High Street in Acton. The major issue that has been of primary concern all along, is the operation of Assabet Sand and Gravel in the Zone I, 400-foot radius, surrounding two operating groundwater sources, Assabet 1A and 2A.

One issue identified during a site visit that is of severe concern is the age and cooling medium for the 3-phase transformer located in the fenced-in area in proximity to the encroachment area. Specifically, I am concerned about the potential for PCB contamination to the public water supply from any leakage from the transformer. Please contact NStar to confirm the nature of this component, and arrange replacement, if warranted. You should update me as soon as possible on this issue.

Phase I (To be completed immediately, within one week of receipt of this letter):

Remove all mobile equipment from encroachment area, i.e., excavators, backhoes, trucks, etc.

Phase II (To be completed by May 31, 2011)

Remove all stockpiled material in encroachment area, i.e., gravel, sand, stone, dredged materials etc.

Phase III (To be completed by July 31, 2011)

Remove all temporary structures from encroachment area, i.e., berms, containment walls, concrete pads, etc. Discontinue vehicular travel in encroachment area except to enable Phase IV activities.

Phase IV (To be completed by December 31, 2011)

Remove all permanent structures from encroachment area, i.e., steel frames for processing tower, conveyor belt assemblies, fixed crusher machines, etc.

All activities are subject to initial verification and on-going compliance by me, or a representative of the Water Supply District of Acton. Please contact me to discuss the implementation of this plan.

Thank you for your cooperation.

Respectfully,

Chris Allen
District Manager